

On motion of Senator Harris, Section No. 4 was withdrawn.

Question next recurring on Section No. 5 of the resolution, it was adopted.

The resolution as amended was then adopted by the following vote:

Yeas—26

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Harris	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

Absent

Hazlewood	Hudson
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Absent—Excused

Hardeman	Weinert
Moore	

House Concurrent Resolution 1

The President laid before the Senate for consideration at this time:

H. C. R. No. 1, Relating to the Joint Rules of the House and Senate.

The resolution was read and was adopted.

Bill and Resolution Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bill and resolution:

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of Three Hundred and Fifty Thousand Dollars (\$350,000), or so much thereof as may be necessary, out of the funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of Members and the per diem of officers and employees of the Regular Session of the Fifty-first Legislature, and to pay any unpaid accounts or expenses of the Fiftieth Legislature; and declaring an emergency."

S. C. R. No. 2, Providing for a joint session of the Senate and House of

Representatives at 11:00 o'clock a.m., Wednesday, Jan. 12, 1949, to hear the message of the Governor.

Adjournment

On motion of Senator Morris, the Senate at 1:15 o'clock p.m., adjourned until 10:30 o'clock a.m. Monday, January 17, 1949.

Record of Vote

Senator Phillips asked to be recorded as voting "nay" on the motion to adjourn.

THIRD DAY

(Monday, January 17, 1949)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called, and the following Senators were present:

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Hudson	Vick
Jones	

Absent—Excused

Kelley of Hidalgo	Moore
Lock	Weinert

A quorum was announced present.

The Reverend Frank Luker, Chaplain, offered the invocation.

Leaves of Absence Granted

Senator Kelley of Hidalgo was granted leave of absence for today on account of important business on motion of Senator Phillips.

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Strauss.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Kelly of Tarrant.

Senator Lock was granted leave of absence for today on account of important business on motion of Senator Colson.

Report of Standing Committee

Senator Jones submitted the following report:

Austin, Texas,
January 14, 1949

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 27, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Message From the Governor

The President pro tempore laid before the Senate and directed the Secretary to read the following message from the Governor:

Austin, Texas,
January 17, 1949.

TO MEMBERS OF THE FIFTY-FIRST LEGISLATURE:

The Fiftieth Legislature appropriated \$36,000,000 as an Equalization Aid Fund for rural and small-town schools during the 1947-49 biennium.

Subsequently, it was found that the appropriation lacked 20 per cent paying total claims of all eligible districts.

I am advised that the deficit was caused to some extent by the following circumstances:

1. When annual salaries of teachers were raised last year approximately \$1,000, many schools eligible under the scholastic limitation showed a need for State assistance which they did not have in previous years.

2. The bills passed by the Fiftieth Legislature set a single salary schedule for all teachers in the State.

3. A total of 4,161 more teachers were employed in salary aid schools for 1947-48 than were employed in 1946-47, and there was a 26 per cent increase in pupils qualifying for equalization aid, which represents 125,861

additional pupils. This large increase was not expected at the time this bill was passed.

There were various other contributing factors, but the fact remained that schools entirely qualified under the law, did not have enough money to meet the obligations authorized by the Legislature.

In the spring of last year, therefore, we were faced with the distressing prospect of having to close many of our public schools before their normal terms were completed, jeopardizing the affiliation of many districts, doing injustice to some 500,000 school children, or of asking our teachers to work for nothing.

Both of these alternatives were unthinkable.

We, therefore, rallied every agency and group which could possibly be of assistance in the emergency, and through the sympathetic help of everyone and the generous participation of financial institutions of our State, we were able to keep the schools open and pay the teachers in full.

In so doing, obligations totalling approximately \$3,000,000 were incurred.

During the current year, I am advised that another \$6,000,000 will be needed. This makes a total of \$9,000,000 which should be appropriated immediately to take care of this emergency situation.

I am confident that you will share my view that the enactment of such legislation is a matter of first importance.

Therefore, under authority of Section 5 of Article III of the Constitution, I submit as a subject for emergency legislation an amendment to the State Equalization Law for the 1947-49 biennium for the purpose of enabling districts to meet their full obligations in financing teachers' salaries.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

Senate Concurrent Resolution 3

Senator Aikin offered the following resolution:

S. C. R. No. 3, Fixing the hour for the joint session of the Senate and House to canvass the votes for Governor and Lieutenant Governor and the joint session to inaugurate said officers.

Resolved by the Senate, the House of Representatives concurring:

That the joint session to count the votes for Governor and Lieutenant Governor be held at 11:00 o'clock a.m., January 17, 1949, and the joint session to inaugurate said officers be held at 11:30 o'clock a.m., January 18, 1949.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the resolution was considered immediately and was adopted.

Committee to Count Votes for Governor and Lieutenant Governor

The President pro tempore announced the appointment of the following committee on the part of the Senate, to count the votes for the Governor and the Lieutenant Governor:

Senators Colson, chairman, Hudson, Shofner, Martin and Corbin.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
January 17, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

H. C. R. No. 5, Providing for parking space for Members of House and Senate.

H. C. R. No. 6, Relative to closing the Capitol Grounds during the inauguration.

H. C. R. No. 7, Relative to expenses incurred for the inauguration.

S. C. R. No. 3, Fixing the hour for the joint session of the Senate and House to canvass the votes for Governor and Lieutenant Governor, and the joint session to inaugurate said officers.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Resolutions Signed

The President pro tempore signed in the presence of the Senate, after

giving due notice thereof, the following resolutions:

H. C. R. No. 1, Relative to the Joint Rules of the House and the Senate.

H. C. R. No. 2, Fixing per diem of Members of the House of Representatives and the Senate of the Fifty-first Legislature.

H. C. R. No. 3, Each House granting the other permission to adjourn from Wednesday, January 12, 1949, to Monday, January 17, 1949.

Senate Resolution 4

Senator Phillips offered the following resolution:

Whereas, On January 20, 1949, in the City of Washington, District of Columbia, with fitting ceremonies, the Honorable Harry S. Truman will be inaugurated President of the United States; and

Whereas, the Honorable Allan Shivers has been designated to represent the State of Texas at said inauguration; and

Whereas, the House of Representatives has designated a member of the House to represent that honorable body at the ceremonies; and

Whereas, It is highly fitting and appropriate that the Senate of Texas also have present a representative at said ceremonies; now, therefore, be it

Resolved, That the Lieutenant Governor of the State is hereby authorized to appoint a Member of the Senate to represent the Senate at the Presidential Inaugural rites in Washington on January 20; and be it further

Resolved, That the necessary expenses incurred by this representative and the Lieutenant Governor in performing these duties be paid from Contingent Expense Fund of the Senate of the Fifty-first Legislature.

The resolution was read and was adopted.

Record of Vote

Senator Morris asked to be recorded as voting "nay" on the adoption of the resolution.

Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senator Proffer:

S. B. No. 52, A bill to be entitled "An Act providing for the transfer of title to certain lands to the State Highway Commission containing 14.22 acres of land more or less, and being a part and parcel of the present campus of the North Texas State Teachers College at Denton, Texas, necessary for the relocation and improvement of U. S. Highway No. 77 from the west line of Avenue "D" to the east line of Avenue "I" in, and adjacent to, the City of Denton, Texas; and declaring an emergency."

To Committee on Highways and Motor Traffic.

By Senator Bullock:

S. B. No. 53, A bill to be entitled "An Act appropriating the sum of Forty-four Hundred (\$4,400.00) Dollars, or so much thereof as may be necessary, to satisfy and pay, according to the terms thereof, that certain judgment rendered against The State of Texas and the Highway Department of the State of Texas in favor of Ed Davis, and wife, Cora Davis, in cause No. 7415, in the District Court of Haskell County, Texas, in the 39th Judicial District of Texas, such judgment having become final and no appeal prosecuted therefrom; and declaring an emergency."

To Committee on Finance.

By Senator Bell:

S. B. No. 54, A bill to be entitled "An Act validating the creation of Road District No. 4-A of Atascosa County, Texas; validating the election held on July 31, 1948, authorizing the issuance of road bonds; authorizing the issuance of road bonds of Road District No. 4-A without the necessity of compensating other road districts overlapped in part by Road District No. 4-A; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Corbin, Hudson and McDonald:

S. B. No. 55, A bill to be entitled "An Act to validate the establishment, organization, and/or creation of all school districts, validating the acts of county boards of school trustees, county judges, commissioners' courts, boards of trustees of such school districts, and municipal governing bodies; validating tax elec-

tions, bond elections, bond assumption elections, and all bonds voted, authorized, and/or now outstanding of said districts; authorizing the levy, assessment, and collection of taxes; providing that this Act shall not apply to certain districts involved now or previously involved in litigation, or to districts which may have been established and which later returned to original status; providing a savings clause, and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Corbin and Hudson:

S. B. No. 56, A bill to be entitled "An Act creating a special road law for Martin County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of February 1, 1949, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding and refunding bonds not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict; and declaring an emergency."

To Committee on Highways and Motor Traffic.

By Senator Harris:

S. B. No. 57, A bill to be entitled "An Act to amend Chapter 195, Page 328, Acts of the Forty-second Legislature (Article 4736a, Vernon's Civil Statutes of Texas Annotated) so as to provide that whenever any person shall procure the issuance of a policy of insurance or of an annuity contract on his or her life in any legal reserve life insurance company, the payment by the company of the proceeds of the policy or of the annuity contract becoming due on the death of the insured or of the annuitant in accordance with its terms prior to the receipt by such company of a written adverse claim to such proceeds shall discharge the company from all liability under the policy or annuity contract; and so as to provide that any payment by a legal reserve life in-

insurance company to the insured, annuitant or other owner of any policy or annuity contract issued by it of the loan, surrender, maturity or other values thereof made in conformity with the provisions of said policy or annuity contract and during the lifetime of the insured or annuitant prior to the receipt by such company of a written adverse claim in and to said policy or annuity contract or to the loan, surrender, maturity or other values thereof shall fully discharge such company from any and all liability as to the payments so made; making such provisions applicable to all policies and annuity contracts now in existence as well as those hereafter written; and declaring an emergency."

To Committee on Insurance.

By Senator Harris:

S. B. No. 58, A bill to be entitled "An Act to validate all subdivisions and detachments of territory from common school districts and common county line school districts and the annexation thereof to contiguous independent school districts, validating the enlarged independent school districts resulting therefrom and conferring upon such independent districts all the powers possessed in their original status or by other independent school districts, validating the acts of all school officials pertaining thereto, validating all independent school districts so enlarged whether by all or only a portion of the common school district so subdivided, declaring the territory so subdivided and annexed to be legal and integral parts of such enlarged districts, validating all elections and other acts for spreading all the prior obligations of said independent districts over their entire territory after such enlargement, validating all taxes of such districts, validating all bonds issued in such enlarged districts and the elections authorizing same, validating the closing of elementary schools in such annexed territory, sale of school property, disposition of the proceeds and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Morris, Carney, Bell and Aikin:

S. B. No. 59, A bill to be entitled "An Act making an appropriation of Forty Million (\$40,000,000.00) Dollars for the biennium beginning Septem-

ber 1, 1949 and ending August 31, 1951, out of the General Revenue Fund, to the State Highway Department of Texas for the purpose of opening, improving and maintaining farm-to-market roads; providing for the allocation and expenditure of said funds on farm-to-market roads; and declaring an emergency."

To Committee on Finance.

By Senator Hudson:

S. B. No. 60, A bill to be entitled "An Act to amend Section 1, Article 7335a, Acts of the Fourth Called Session, 41st Legislature, 1930, Page 9, Chapter 8, so as to include cities, towns and independent school districts, within the provisions of this act; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Colson, Phillips and Moffett:

S. B. No. 61, A bill to be entitled "An Act making an emergency appropriation for the Texas Prison System; and declaring an emergency."

To Committee on Finance.

By Senator Colson:

S. B. No. 62, A bill to be entitled "An Act making an appropriation to pay the principal of certain judgments obtained against The State of Texas in Cause No. 78503, styled Graham Paper Company vs. The State of Texas, and Cause No. 80034, styled Continental Gin Company et al. vs. The State of Texas, both in the 98th District Court of Travis County, Texas, according to the tenor, effect and reading of such judgments, providing that only the principal of such judgments be paid and that no interest be paid on such judgments; and declaring an emergency."

To Committee on Finance.

By Senators Tynan, Corbin, Shofner, and Moffett:

S. B. No. 63, A bill to be entitled "An Act to prescribe minimum educational standards and to establish a State Board of Examiners in the Basic Sciences; providing for its appointment and organization and defining its powers; defining the healing arts; making certification by the State Board of Examiners in the Basic Sciences a prerequisite to eligibility for examination for license to practice the healing arts; establishing eligibility

requirements for certification by the Board of Examiners in the Basic Sciences; fixing fees to be paid and providing compensation and expenses of the Board of Examiners in the Basic Sciences; providing for appeals from action by the Board; defining and prohibiting fraudulent and void certificates and licenses and establishing procedures for their revocation and cancellation; providing penalties for practicing any branch of the healing art without a valid certificate from the State Board of Examiners in the Basic Sciences; providing penalties for obtaining or attempting to obtain a certificate in the Basic Sciences by unlawful means; providing penalties for bribing, attempting to bribe, accepting a bribe, or agreeing to accept a bribe under this law; providing methods of enforcement of this Act; enumerating exceptions and exemptions under this Act; amending Chapter 6, Title 12, of the Penal Code of Texas by adding Articles 742-a, 742-b, 742-c, 744-a and 744-b; amending Chapter 1, Title 5, of the Penal Code of Texas by adding Articles 160-a and 160-b; providing that if any section, part of a section or provision of this Act is held to be unconstitutional such holding shall not affect the validity of the remaining portions of this Act; providing for non-repeal of existing medical licensure laws, and declaring an emergency."

To Committee on Public Health.

By Senator Tynan:

S. B. No. 64, A bill to be entitled "An Act providing for the establishment of a Medical Branch of The University in San Antonio or Bexar County, Texas; authorizing and directing the Board of Regents of the University to acquire surplus Federal property for said Medical Branch; authorizing the Board of Regents to contract with other agencies for hospital and other facilities needed for the proper conduct of the activities of said Medical Branch; appropriating for the remodeling of buildings acquired under provisions of this Act, a sum of One Hundred Thousand Dollars (\$100,000) for the fiscal year ending August 31, 1950, and a like sum for the fiscal year ending August 31, 1951, from the General Revenue Fund of the State of Texas; appropriating for equipment, operation and maintenance of said Medical Branch, a sum of Four Hundred Thousand

Dollars (\$400,000) for the fiscal year ending August 31, 1950, and a like sum for the fiscal year ending August 31, 1951, from the General Revenue Fund of the State of Texas; empowering the Board of Regents of The University of Texas to supplement these appropriations from the Available Fund of The University of Texas, if necessary; authorizing and empowering the Board of Regents of The University of Texas to accept gifts, donations, and bequests to further the purposes of this Act; providing a saving clause; repealing all laws or parts of laws in conflict with this Act to the extent of such conflict only; and declaring an emergency."

To Committee on Finance.

By Senator Cousins:

S. B. No. 65, A bill to be entitled "An Act relating to the County Court of Jefferson County At Law; amending Acts 1919, Chapter 27, Section 4, the same being Article 1970-114, Revised Civil Statutes of Texas, 1925, with reference to the terms of said Court; amending Acts 1919, Chapter 27, Section 5, same being Article 1970-115, Revised Civil Statutes of Texas, 1925, with reference to the election, tenure and qualifications of the Judge of said Court; amending Acts 1937, Chapter 377, Section 1, same being Article 1970-122, Revised Civil Statutes of Texas, 1925, with reference to the salary of the Judge of said Court; providing a saving clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Ashley, Phillips, and Strauss:

S. B. No. 66, A bill to be entitled "An Act amending the 'Lower Colorado River Authority Act,' Chapter 7, (S. B. No. 2) Acts of the Fourth Called Session of the Forty-third Legislature and the amendment thereto as set out in Chapter 2, (Title: Water—S. B. No. 346) of the Special Laws of the Forty-sixth Legislature, Regular Session, by amending Section 10 so as to authorize the District to issue bonds for any corporate purpose providing that the aggregate principal amount of such bonds outstanding at any one time shall not exceed Fifty Million (\$50,000,000.00) Dollars, and declaring an emergency."

To Committee on State Affairs.

By Senator Bracewell:

S. B. No. 67, A bill to be entitled "An Act prohibiting the selling, offering, exhibiting for sale, or having in possession with intent to sell as food for human consumption horsemeat, defining horsemeat, prohibiting the transfer of its possession under certain circumstances, setting out facts constituting prima facie evidence of violations of this Act, providing that the act shall not affect provisions of city ordinances except where directly in conflict, providing penalties, providing for injunctions against persons violating the Act from engaging in the business of purveying meat, providing a repealing clause, providing a savings clause and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senators Bracewell and Moore:

S. B. No. 68, A bill to be entitled "An Act amending Subsection 2 of Section 2, Acts 1947, 50th Legislature, Page 417, Chapter 229, repealing Subsection 7 of Section 2, Acts 1947, 50th Legislature, Page 417, Chapter 229; amending Section 4, Acts 1947, 50th Legislature, Page 417, Chapter 229; and amending Section 7, Acts 1947, 50th Legislature, Page 417, Chapter 229, to include certain amendments and added sections to Articles 8306 and 8307, Revised Civil Statutes of Texas, 1925, as amended by Senate Bill 40, and House Bill 10, Acts 1947, 50th Legislature; providing a savings clause and declaring an emergency."

To Committee on State Affairs.

By Senator Tynan:

S. B. No. 69, A bill to be entitled "An Act to amend Section 9, Chapter 67, Acts of the Forty-first Legislature, Fifth Called Session, as amended by Chapter 75, Acts of Regular Session of the Forty-eighth Legislature, pertaining to the sale of products produced by the Texas Prison System to the State of Texas, its institutions and political subdivisions; providing for the sale of surplus agricultural products and other personal property owned by the Texas Prison System, other than manufactured products produced for the purpose of sale; providing a severability clause; and declaring an emergency."

To Committee on State Affairs.

By Senator Tynan:

S. B. No. 70, A bill to be entitled "An Act to amend Acts 1943, 48th Legislature, page 309, Chapter 201, Section 1; Acts 1945, 49th Legislature, page 55, Chapter 38; and Acts 1947, 50th Legislature, page 240, Chapter 143, Section 1, prescribing hours of labor, compensations and vacations of city firemen and policemen; prescribing penalties for violation; and declaring an emergency."

To Committee on State Affairs.

By Senator Vick:

S. B. No. 71, A bill to be entitled "An Act to amend Acts of the 50th Legislature, page 550, Chapter 325, providing a Civil Service System for firemen and policemen in all cities having a population of ten thousand (10,000) inhabitants or more; requiring and regulating competitive examinations and classification of applicants for classification and employment as firemen or policemen; regulating such employments; providing a repealing and savings clause; and declaring an emergency."

To Committee on State Affairs.

By Senator Vick:

S. B. No. 72, A bill to be entitled "An Act to amend Article 2326, R. C. S., 1925, as amended by Acts 1945, 49th Legislature, Page 460, fixing the salaries of official shorthand reporters of Civil and Criminal District Courts and County Courts at Law, Civil and Criminal, to provide that such reporters shall receive a salary of not less than Three Thousand nor more than Four Thousand Eight Hundred Dollars per annum, payable in monthly installments in addition to transcript fees and traveling and hotel expenses now provided by law; authorizing the Judges of the respective Courts to fix the salaries within the limits provided herein; providing that this amendment shall not repeal Acts 1945, 49th Legislature, Page 430, Chapter 272, nor Acts 1947, 50th Legislature, Page 256, Chapter 151; and declaring an emergency."

To Committee on Civil Jurisprudence.

Co-Authors of Bills

Senator Kelly of Tarrant asked to be shown as co-author of Senate Bill No. 67.

There was no objection offered.

Senator Jones asked to be shown as co-author of Senate Bill No. 18.

There was no objection offered.

Joint Session

(To Count Votes for Governor and Lieutenant Governor)

The President pro tempore announced that the hour for the joint session of the two Houses to count the votes for Governor and Lieutenant Governor had arrived.

Accordingly, the President pro tempore and Senators present repaired to the Hall of the House of Representatives at 11:00 o'clock a.m.

The Senators were announced at the Hall of the House and were admitted and escorted to seats already prepared for them along the aisle.

The President pro tempore, by invitation of the Speaker of the House, occupied a seat on the Speaker's rostrum.

The President pro tempore called the Senate to order and directed the Secretary to call the roll of the Senate.

The roll was called, and the following Senators were present:

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Hudson	Vick
Jones	

A quorum of the Senate was announced present.

The Speaker ascertained and announced the presence of a quorum of the House and announced the purpose of the joint session and requested the joint tellers to come forward and receive the returns of the votes cast for Governor and Lieutenant Governor at the general election held on November 2, 1948.

Senators Colson, Hudson, Shofner, Martin and Corbin on the part of the Senate and Representatives Crosthwait, Whiteside of Baylor, Oltorf, Neimann and Moursund on the part of the House, then received the returns and proceeded to count the votes cast for Governor and Lieutenant Governor.

At Ease

At 11:45 o'clock a.m., the Speaker announced that the Joint Session would stand at ease pending the counting of the votes.

When the count was completed, Senator Colson, for the Senate tellers, and Mr. Crosthwait, for the House tellers, presented the following report, which was read to the joint session:

House of Representatives,
Austin, Texas,
January 17, 1949.

Hon. Kyle Vick, President Pro Tempore of the Senate.

Honorable Durwood Manford, Speaker of the House of Representatives.

We, the joint committee and the tellers appointed by the Senate and House of Representatives to canvass the votes cast at the last General Election held in the State of Texas on November 2, 1948, for Governor and Lieutenant Governor of the State of Texas as shown by returns delivered to us by the Secretary of State, beg leave to report that we have performed that duty and the result of our canvass is as follows:

There were cast for Governor:
Beauford H. Jester, 1,024,160 votes
Alvin H. Lane, 177,399 votes.
Gerald Overholt, 3,554 votes.
Herman Wright, 3,747 votes.

There were cast for Lieutenant Governor:

Allan Shivers, 1,050,163 votes.
Taylor Cole, 143,887 votes.
Ira R. Lowe, 3,177 votes.
Rev. Stacy Adams, 3,434 votes.

Scattering votes were not counted in either race, they being negligible and could not possibly affect the results.

All of which is respectfully submitted.

COLSON
MARTIN
SHOFNER
CORBIN
HUDSON

On the part of the Senate.

CROSTHWAIT
MOURSUND
OLTORF
WHITESIDE of Baylor
On the part of the House.

The President pro tempore announced the business of the joint session concluded and requested the Senators to repair to the Senate Chamber.

In the Senate

The President pro tempore called the Senate to order at 1:55 o'clock p.m.

Senate Concurrent Resolution 4

Senator Carney offered the following resolution:

S. C. R. No. 4, Granting Mr. O. L. Crigler and wife permission to sue the State.

Whereas, On November 15, 1948, Mr. O. L. Crigler and his wife were involved in a collision of their automobile with a truck owned by the Texas State Highway Department in Greenville, Texas, in which their automobile was damaged and they suffered some personal injury; and

Whereas, the said O. L. Crigler and his wife desire to institute suit against the State of Texas and its Highway Department to recover compensation for such damages suffered by them in said collision; now, therefore,

Be It Resolved by the Senate of the State of Texas, the House of Representatives concurring, that the said O. L. Crigler and his wife be and they are hereby granted consent to sue the State of Texas and its State Highway Department for their damages sustained by them resulting from said collision. Citation served upon the Attorney General shall be sufficient service in such suit which may be filed and tried under the same rules and evidence as in similar cases, this consent to sue not being an admission of any fact or liability of the State or its Highway Department.

The resolution was read and was referred to the Committee on State Affairs.

House Concurrent Resolution 5

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 5, Providing for park-

ing space for members of the House and Senate.

The resolution was read and was adopted.

House Concurrent Resolution 6

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 6, Relative to closing the Capitol grounds during the inauguration.

The resolution was read and was adopted.

House Concurrent Resolution 7

The President pro tempore laid before the Senate for consideration at this time:

H. C. R. No. 7, Relating to expenses incurred for the inauguration.

The resolution was read and was adopted.

(President in the Chair)

Employees Assignment Committee

In accordance with the provisions of Senate Resolution No. 1, the President announced the appointment of the following committee:

Senators Aikin, chairman, Taylor, Strauss, Harris and Carney.

Adjournment

On motion of Senator Lane, the Senate at 2:15 o'clock p.m., adjourned until 10:30 o'clock a.m. tomorrow.

FOURTH DAY

(Tuesday, January 18, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Corbin
Ashley	Cousins
Bell	Hardeman
Bracewell	Harris
Bullock	Hazlewood
Carney	Hudson
Colson	Jones